

Overstreet, Greg (ATG)

From: Dempsey@ix.netcom.com
Sent: Thursday, December 15, 2005 10:29 AM
To: Overstreet, Greg (ATG)
Subject: Public Record Comments

The following message was submitted to the Office of Attorney General:

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Comments:

Some time ago I wrote to comment on the newest scheme for protecting the public's right to know what documents are available and, by extension, what the agency is doing. I didn't believe it would work because I don't believe the law is respected by either the state or its agencies or the myriad of separate governments (schools, cities, counties) created by the system. Case in point: I was just notified by a school district that they had been duly diligent and there were no more documents responsive to a 42.17 documents' demand. That is their current position even though I have a list of other case files they have built and filed that are not in the documents provided in the tedious installment schedule under the new law. I have gone religiously to the district headquarters and picked up the weekly installments. Is those increments the district has provided 1) what I could have gotten elsewhere and 2) files that cover a small segment of their staff. I reached broadly. They responded predictably. I just completed a lawsuit in Pierce County Superior Court where the district told me for months that they didn't have specific, carefully identified documents. The day after they agreed to avoid a trial by complying with the request I received the documents they have repeatedly said they don't have. The next day I filed another 42.17 document request and now they have, apparently, repeated the exact behaviors in ignoring the documents in their files. Institutional memory is a hard stain to erase and now I must save my money, find an attorney and file again and then hope I don't die before the records are available. If you want to change the effectiveness of the law I suggest the AG sue agencies, etc., when the overwhelming preponderance of the evidence indicates the law is being ignored or denied by the agency. Herb Dempsey